



Docket No.: 1293.1988

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Chang-hoon BAEK et al.

Serial No. 10/786,173

Group Art Unit: 2873

Confirmation No. 3471

Filed: February 26, 2004

Examiner: Lamb, Christopher Ray

For: OPTICAL SIGNAL CONVERTER AND METHOD OF CONTROLLING AMPLIFICATION  
GAIN ACCORDING TO ROTATING SPEED OF OPTICAL DISC

**COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed April 17, 2007.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. The reasons for allowance set forth starting on page 4 of the November 1, 2006 Office Action and page 2 of the Notice of Allowability sets forth specific features not found in the prior art. It is submitted that the Examiner's statement is not an accurate quote with respect to claim 5, for example. For example, the method of claim 5 does not recite "generating a gain control signal when a voltage level of a driving signal used to drive the optical disc exceeds a maximum output voltage of the



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optical signal converter." As such, it is submitted that the Examiner's statement is not a suitable reason for allowance. The claim language should be used to determine the reasons for allowance.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

Further, the reasons for allowance set forth starting on page 4 of the November 1, 2006 Office Action and page 2 of the Notice of Allowability include descriptions and characteristics of the references of record. It is submitted that such characterizations are not proper "reasons for allowance" as directed by 37 C.F.R. §1.104 and as explained in M.P.E.P. §1302.14. In particular, a discussion of the prior art is specifically identified in Example (F) of M.P.E.P. §1302.14 as a statement which is not a suitable reason for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 6/26/07

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